

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08	CELERINO CARRASCO,)	CASE NO. C06-0074-RSM
)	
09	Petitioner,)	
)	
10	v.)	
)	
11	DEPARTMENT OF HOMELAND)	ORDER OF DISMISSAL
	SECURITY, IMMIGRATION AND)	
12	CUSTOMS ENFORCEMENT, and)	
	CORRECTIONAL SERVICE)	
13	CORPORATION,)	
)	
14	Respondents.)	
	_____)	

The Court, having reviewed petitioner's 28 U.S.C. § 2241 petition, all papers and exhibits in support and in opposition to that petition, the Report and Recommendation ("R&R") of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's Emergency Motion to Dismiss (Dkt. #24) is DENIED. Although entitled as a Motion to Dismiss, this motion actually appears to raise the same

01 issues previously raised in petitioner's habeas petition. Accordingly, the motion
02 is denied for the same reasons set forth in the R&R;

03 (3) Petitioner's § 2241 petition is DENIED, and this action is DISMISSED with
04 prejudice; and

05 (4) The Clerk is directed to send copies of this Order to the parties and to Judge
06 Theiler.

07 DATED this 19th day of May, 2006.

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11 RICARDO S. MARTINEZ
12 UNITED STATES DISTRICT JUDGE
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